

Court No. - 6

Case :- WRIT - A No. - 15176 of 2021

Petitioner :- Vinay Kumar Pandey

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Taniya Pandey

Counsel for Respondent :- Archana Singh,C.S.C.

Hon'ble Ajay Bhanot,J.

Heard Ms. Taniya Pandey, learned counsel for the petitioner and Ms. Archana Singh, learned counsel for the respondent no. 2.

On 16.11.2021 the following order was passed:

"Learned Standing Counsel as well as learned counsel appearing for respondent nos. 2 and 3 shall obtain instructions and apprise the Court as to whether petitioner's claim for appointment could be considered in light of the order passed in Writ petition No. 24099 of 2018 as also the vacancy allegedly available at District Ballia vide annexure no.25 to the writ petition."

The only reason cited by the respondent for declining the permit the petitioner to appear in counseling to the post of Assistant Teacher in district Ballia is that appointment letters have been issued to the aforesaid candidates. Hence posts are not vacant.

The respondents have, however, fairly admitted that no candidate has joined the post of Assistant Teacher in pursuance of the appointment letter. A similar stand has

been taken regard to Unnao. In the light of the aforesaid, the post shall be treated as vacant and the petitioner shall be permitted to appear in the counseling for the post of Assistant Teacher in Ballia as well as Unnao.

Fresh affidavit shall be filed within four weeks. Process shall be completed within the aforesaid period.

List thereafter.

Order Date :- 5.11.2024

NSC